Sri C. M. ARUMUGHAM.—I want them to come to a conclusion regarding the discussion on the statement made by the P.W.D. Minister about Sharavathi Valley Project.

†Sri V. SRINIVAS SHETTY (Coondapur).—It was expected that the business of the House would go up to 26th or even 27th, and certain items were tentatively included. So far, I have not been consulted. But now it is said that the Session will end on the 24th. Why is it suddenly ending on the 24th? Very vital items which have been included in the Agenda have been dropped. I was taken by surprise when I was told that the Government did not want to go beyond 24th. On several occasions the Government have never consulted the Opposition Leader. I fully endorse what Sri Arumugham has said that a discussion on Sharavathi Project is very important and it is vitally necessary. Very grave charges have been levelled. When the Hon'ble Minister places a report about it before us, it must be discussed. It is one of the most important things we can discuss in this House. I fully endorse the request made by my Hon'ble friend. The Speaker can fix the time as to when a session should end. You have been pleased to suggest and we have been pleased to agree that it should go up to 26th. We shall have to discuss these vital matters.

† ಶ್ರೀ ಬಿ. ಕೆ. ಪುಟ್ಟರಾಮಯ್ಯ (ಚನ್ನಪಟ್ಟಣ).—ತಾವು ಬಿಸಿನೆಸ್ ಅಡ್ವೈಜರಿ ಕಮಿಟಿಯ ಅಧ್ಯಕ್ಷರು. ತಮ್ಮ ಎದುರಿನಲ್ಲಿ ಬಿಸಿನೆಸ್ ಅಡ್ವೈಜರಿ ಕಮಿಟಿಯವರು 26ನೆಯ ತಾರೀಖು ಪುಡ್‌ಡಿಬೇಟ್ ಆಗಬೇಕೆಂದೂ 28ನೆಯ ತಾರೀಖು ಲೋಕಲ್ ಸೆಲ್ಫ್ ಗೌರ್ನಮೆಂಟ್ ಎಲೆಕ್ಷನ್ ವಿಷಯದಲ್ಲಿ ಯಾವ ರೀತಿ ಎಲೆಕ್ಷನ್ ನಡೆಯ ಬೇಕೆಂಬ ಚರ್ಚೆಯನ್ನು ಮಾಡಬೇಕೆಂದೂ ಹೀಗೆ 28ನೆಯ ತಾರೀಖಿನವರೆಗೂ ಸೆಷನ್ ಮುಂದುವರಿಸ ಬೇಕೆಂದು ಕೇಳಿದ್ದಕ್ಕೆ 26ನೆಯ ತಾರೀಖಿನವರೆಗೂ ಸೆಷನ್ ಮುಂದುವರಿಸಲು ಸರ್ಕಾರದವರು ಒಪ್ಪಿ ಕೊಂಡರು. ಆಗ ಶರಾವತಿ ವ್ಯಾಲಿ ವಿಷಯ ಬರಲೇ ಇಲ್ಲ. ಡಿಸ್‌ಕಷನ್ ಆಗದೆ ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡಿ ಬಿಟ್ಟರೆ ಆಗುವ ಅನಾಹುತ ಏನು ಎಂದರೆ ಸರ್ಕಾರದವರು ಮಾಡಿದ್ದು ನ್ಯಾಯ ಎಂದುಗೊತ್ತಾಗುತ್ತದೆ. ಶರಾವತಿ ವ್ಯಾಲಿಯ ವಿಷಯದಮೇಲೆ ಡಿಬೇಟ್ ಆಗದಿದ್ದರೆ ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡುವುದಕ್ಕೆ ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಿರಲಿಲ್ಲ. ಅಧ್ಯಕ್ಷರು ತಾವು ಅಪ್ಪಣೆಕೊಡಿಸಿದರಿ ಸ್ಟೇಟ್‌ಮೆಂಟ್ ಮಾಡಲು ಡಿಬೇಟ್ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಿಸುತ್ತೇನೆಂದು. It was agreed to hold the Session up to 28th. ಅಗ್ರಿಮೆಂಟ್ ಪ್ರಕಾರ ಶರಾವತಿ ವ್ಯಾಲಿಯ ವಿಷಯದಲ್ಲಿ 26ನೆಯ ತಾರೀಖು ಡಿಬೇಟ್ ಆಗ ಬೇಕು, ಅದಕ್ಕೆ ತಾವು ಅವಕಾಶ ಮಾಡಿ ಕೊಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

Mr. SPEAKER.—It is not possible to discuss that matter in this session.

Sri C. M. ARUMUGHAM.—You have allowed a statement to be made by the Hon'ble Minister. It is nothing but whitewashing the affair.

Mr. SPEAKER—It is not fair to say so. So far as the business is concerned, it is true that it was fixed tentatively upto 26th. But the Government decided to drop one of the Bills namely Mysore Motor Vehicles Bill, 1599 for which a day had been allotted. Naturally one day allotted to that Bill is curtailed. So, instead of concluding on the 26th, it is going to be concluded on the 24th. Regarding the Statement made by the Minister for Public Works, It cannot be said that if there is no debate on that statement, it will go unchallenged. The Minister in discharge of his duty makes a statement. The Members will be given an opportunity in time to discuss the statements so made. This time it is not possible to take it up for discussion. Members will be given time if necessary to discuss that in the next session. After all, it may not be necessary to discuss is separatly in the next session because while discussing the Budget and there will be ample opportunities to make remarks in resptec of the Minister statement now made.

Sri G VENKATAI GOWDA (Palaiyam).—What about discussion on the food situation?

Mr. SPEAKER.—Today, we are taking up Sri Siddhanthi's motion regarding scarcity conditions prevailing in certain areas of the State.

REPORTS OF THE MYSORE PUBLIC SERVICE COMMISSION FOR 1954-55 TO 57.

Motion to consider (contd).

† Sri KADIDAL MANJAPPA (Minister for Revenue).—I was asked to give my reply to the discussions that took place yesterday in connection with the

(SRI KADIDAL MANJAPPA)

reports of the Public Service Commission for the years 1954-55, 1955-56 and 56-57. I have very closely followed the debate. Some Hon'ble Members have criticised the Public Service Commission; some Hon'ble Members have found fault with the Government, some Hnoble Members have referred to things whi'ch are totally irrelevant so far as the Reports are concerned. The Commission came in for bitter criticism mostly on the plea that they have given prefernce to candidates belonging to old Mysore area.. During the question hour yesterday the points raised by the Hon'ble Members have bee sufficiently answered by the Hon'ble Chief Minister. I wish to add a n few words in this connection. It was said by Hon'ble Members that while selecting candidates for class III and IV posts, undue preference had been given to people belonging to old Mysore area. Hon'ble Member, Sri Sidhanthi, yesterday made it clear that in the erstwhile Bombay region of the State, there was a practice in vogue, the practice of officials, particularly class III and IV officicials being appointed by the Unit Officers themeslves, whereas in the old Mysore area the practice was for the Commission to enlist the candidates and send that list to the Heads of Departments or Unit Officers for making appointments later on.

Sri V. SRINIVAS SHETTY (Coondapur).—What about Hyderabad and South Kanara?

Sri KADIDAL MANJAPPA.—I do not know the practice ther was in vogue in South Kanara. but I am definite that in Hyderbad and also in Gulbarga Division and Belgaum Division, the Unit Officers themselves without reference to the Commission appoint class III and IV servants. Therefore, the number selected by the Commission is mainly intended for the vacancies that arose in the old Mysore area. Under these circumstances, the Commission does not deserve to be so bitterly criticised.

†**Sri J. B. MALLARADHYA** (Nanjangud).—How do you account for the figures given by the Commision that they recommended cases relating to ex-Bombay, and ex-Hyderabad? It is because of the low figures furnished by themselves that the criticism arose. If the Unit Officers themselves made appointments, why should they come before the Commission?

Sri KADIDAL MANJAPPA.—Only regarding certain categories of posts, the selection is Statewide, and not with regard to all the posts.

†**Sri J. B. MALLARADHYA.**—The existing rules of recruitment applicable to the integrated area will continue until a comprehensive scheme of recruitment rules is made applicable. So it is presumed that in the interim period, the rules in existence before the integration will operate in the integrated areas. Then how does this difference arise?

Sri KADIDAL MANJAPPA.—You should not forget that most of the candidates are meant for the posts to be filled in the erstwhile State of Mysore. People from the other region may not find it very convenient to take up jobs in the erst while State of Mysore.

Sri V. SRINIVAS SHETTY.—Unless you separate the figures of those officers who are mainly meant for old Mysore, how can you say that these particular officers are only for Mysore.....

Sri KADIDAL MANJAPPA.—Yesterday, the Hon'ble Member Sri Sidhanthi said that the Unit Officers themselves in the Bombay area were recruiting class III and class IV officials; that system is in vogue even to-day.

Sri V. SRINIVAS SHETTY.—In regard to the old Mysore figures—4,000, 3,000 officers, etc., of those officers, how many are meant only for Mysore area and how many for the State?

Sri KADIDAL MANJAPPA.—Just at present, I am not in possession of facts; on a later occasion I will be able to furnish those details.

Sri J. P. SARWESH (Serum).—In Hyderabad Karnatak also some of the candidates selected by the Commission did not report for duty for 9 months. The posts were vacant and they were flled through the Employment Exchange and when after nine months the candidates selected by the Commission

reported for duty, then those candidates appointed through the Employmet Exchange for Gulbarga were removed. Those rules prevailing in Bombay were prevailing in Hyderabad also.

Sri KADIDAL MANJAPPA.—Local candidates are appointed with the definite understanding that they are only local candidates and that they are meant to fill up temporary vacancies and as soon as the regular candidates are available, the local candidates will have to go home. Hon'ble Member Sri Mallaradhya, referred to the regularisation of temporary appointments. He found fault with the Government for the regularisation of such appointments. Even when the Hon'ble Member was in service, this practice of regularising temporary appointments was in vogue. No doubt it is not correct to allow temporary appointments for a long time and thereafter to regularise them. I agree, but due to so many reasons these things are happening. When there is a vacancy, the list sent by the Commission will not be applicable. Therefore, they are obliged to make temporary arrangements. When once the arrangement is made, unless the temporary man is dislodged within a reasonable period, he will have to continue until the vacancy is advertised and filled up. If the period is long like 3 or 5 years, we will have to make a human approach. It is a human problem. I advised the Chief Minister to regularise the three appointments of Lecturers. They served in the University for three years. I felt it was not correct for the Government to ask them to go home.

Sri J. B. MALLARADHYA.—When the original appointment itself was irregular, should you go and regularise it and merely because of lapse of time can you ever argue like that ? In fact, it is a concession that the local candidates continued for three years when they had no claim to the appointments.

Sri KADIDAL MANJAPPA.—As I submitted, it is a human problem. We cannot take a technical view. In hundreds of cases, temporary appointments have been regularised with reluctance. In some cases the Commission is responsible for not sending to the Unit Officers the list of approved candidates.

2-30 P.M.

With regard to the appointments made in connection with the implementation of N.E.S and C.D. projects, it was said that it was not correct to exclude certain appointments from the purview of the Public Service Commission. According to the revised rules all the appointments, excepting the Gazetted, come under the purview of the P.S.C. Even with regard to Gazetted appointments, in the case of Block Development Officers, selection was made by the P.S.C. The only one departure was in connection with the appointment of Sri Hudli, the Principal of the Training School. He had the necessary qualification and experience and Government thought that he was suitable for the post.

The Hon'ble Member Sri Ramappa suggested that people of the rural area, particularly those who are landless, should be given preference in appointments. I like that idea but how we can implement that idea is a matter to be examined very carefully.

Sri M. RAMAPPA (Harihar).—Please examine it.

Sri KADIDAL MANJAPPA.—At present we are examining the whole question.

Sri M. RAMAPPA.—Not the whole question but the particular question.

Sri KADIDAL MANJAPPA.—The whole question includes the particular question also.

Mr. SPEAKER.—Is there a rule that they should be preferred ?

Sri KADIDAL MANJAPPA.—I do not think that there is any such rule that people from the rural area should be given preference. I am not aware.

Mr. SPEAKER.—That is my impression.

Sri KADIDAL MANJAPPA.—The Hon'ble Member Sri Mallaradhya suggested that rules of recruitment should be framed early and that certain rules framed by the Government were not placed on the table of the House. We

Sri KADIDAL MANJAPPA.—We will examine the whole thing. The next important point raised by the Leader of the Opposition and other members is that there has been undue delay in submitting the report by the Public Service Commission. According to Article 323, no time-limit has been prescribed.....

Sri G. VENKATAI GOWDA (Palaiyam).—It has been said "at the end of the year".

Sri KADIDAL MANJAPPA.—I will read Article 323.

> "It shall be the duty of the Union Commission to present annually to the President a report as to the work done by the Commission and on receipt of such report the President shall cause a copy...
>
> (2) It shall be the duty of a State Commission to present annually to the Governor of the State a report as to the work done by the Commission, and it shall be the duty....."

It has not been mentioned that the P.S.C. should send the report at the end of the year. They are required just to send the report...

ಶ್ರೀ ಜೆ. ಬಿ. ಮುಲ್ಲಾರಾಧ್ಯ.—ಹಾಗೆಂದರೆ ಮೂರು ವರ್ಷಗಳ ರಿಪೋರ್ಟುಗಳನ್ನು ಈ ದಿವಸ ಕಳಿಸಬೇಕೆಂದೇ? What control do the Government have over the P.S.C.? Is it not possible to come to an understanding and establish a convention in regard to the date before which the P.S.C. have to submit reports? After all, it is obligatory on their part. It is open to the Governor to say: "expect the report for 1956-57 to reach me six months after date". We know that large figures have to be compiled. But that only means procedural adjustments, but there should be a time-limit. Now, as it is, the report for 1953-54 comes after three years. Is the Government so helpless even in regard to the future reports? Let us, as a result of discussion, regularise the procedure.

Sri G. VENKATAI GOWDA.—What is the use of discussing reports so out-of-date? No sanctity can be attached to them.

Sri KADIDAL MANJAPPA.—I agree that there has been delay and that the House should have an opportunity of discussing the transactions in a particular year within a reasonable time. We would bring this matter to the notice of the P.S.C. and will persuade them to send their reports very early. Hon'ble Members should also appreciate Government's difficulty. After all, the P.S.C. is a statutory body and we cannot issue directives to them.

The next important point raised by Sri Mallaradhya was with regard to non-consultation in connection with certain appointments or promotions. There were valid reasons. I have a big note explaining the circumstances under which the Commission was not consulted. The Hon'ble Member referred to the appointment of theSuperintendent of Stamps. It was observed by the Hon'ble Member that the officer belonged to the Registration Department and that there was no justification for appointing him in the Stamps Department as Superintendent.

Sri J. B. MALLARADHYA.—The objection was not just that. The point is that there has been supersession of the officers in that department, who were hoping to get promotion. That is a more serious allegation.

Sri KADIDAL MANJAPPA.—The officer has been retired. Prior to 1st November 1956 in the old Mysore area the Stamps and Registration Departments were two different units, though they were under the administration of one and the same officer. In Bombay and Madras, the Stamps and Registration Departments were separate, but several Registrars were being posted to the Stamp Department. But in Hyderabad, there was one. The Stamp Department of the new Mysore State was the smallest one, consisting of only eight officials. It was, therefore, amalgamated with the Registration Department with effect from 1st November 1957.

Meanwhile, an officer belonging to the Registration Department was allotted

to the State by the Government of Bombay consequent on the reorganisation of the State. After his allocation he was posted on his own pay as a supernumerary officer. He had to be given a place and so he was given a place on his own pay and it had not the effect of superseding the claims of others because this officer was already drawing a higher pay than the person who was aspiring to get that post.

Sri J. B. MALLARADHYA.—If he had not been brought, the other person would have got the chance.

Sri KADIDAL MANJAPPA.—In fact, the post was not there previously. It was created at that time to accommodate this gentleman.

The other instance referred to by Sri Mallaradhya was with regard to the regularisation of the appointments of certain Headmasters of District Board High Schools. In the case of the teachers of the District Board High School, Hassan District, a decision was taken. Consistent with that decision, we had to regularise the appointments of the other District Board High School teachers also.

With regard to disciplinary cases the Hon'ble Member Sri Mallaradhya drew my attention to the fact that in about 29 cases Government had not passed orders. It is not correct. Government might not have sent the orders to the P.S.C., in some cases, but orders have been passed in many cases. With regard to enquiries a certain procedure has to be followed. The Hon'ble Member knows that in some cases the High Court interferes and so fresh enquiries have to be instituted. Therefore, there is unavoidable delay in finalising those cases. If the Hon'ble Member wants I am prepared to read out the list of cases of disciplinary action. In a large number of cases orders have been passed.

With regard to rules pertaining to recruitment of Munsiffs, Government have issued rules after full consideration of all aspects.

Some Hon'ble Member referred to he need for counting temporary service for pension and gratuity. I may say that our revised rules provide for treating temporary service as officiating service.

One other serious point raised by the Hon'ble Members was with regard to the recruitment of Tahsildars and Block Development Officers in the year 1958. The Hon'ble Member Sri Kothavale and a few others observed that great injustice had been done to officials belonging to the Bombay area. It was suggested by them that the Public Service Commission was not fair in dealing with the officials of the Bombay region. According to the notification issued in 1958 equal opportunity was given to officials of all the regions. S.S.L.C. was the minimum qualification prescribed. The Public Service Commission was not precluded from selecting persons whose qualification was only S.S.L.C. When the minimum qualification is prescribed, it is open to the P.S.C. to select candidates who are having the minimum qualification or candidates who are having a higher qualifictation. The P. S. C. after considering the qualifications and their record of service have selected certain officers. I may inform the House on this occasion that while selecting B.D.O's and Tahsildars the claims of officials belonging to other regions have been taken into account. Roughly 50% of the officials both among B.D.O's and Tahsildars have been selected from Hyderabad, Bombay and Madras regions and the other 50% from the old Mysore area.

Sri G. VENKATAI GOWDA.—Ha any other State fixed S.S.L.C. as the minimum qualification for a Tahsildar ?

Sri KADIDAL MANJAPPA.—I think Madras State has done.

Sri G. VENKATAI GOWDA.—No. In Madras State, when a person has been taken in service and when he has completed 2 years' service, he will not be selected for any Probationer's post. He will have to take his chance only by promotion, but here even a Second Division Clerk can apply for selection as a Probationer.

Sri KADIDAL MANJAPPA.—Even without one month's service it is quite possible to become a Probationary Tahsildar provided he is a graduate. Supposing we are selecting Probationers, a man who is not already in service can also apply and take his chance. Nothing prevents him from applying.

Sri G. VENKATAI GOWDA.—I do not come in the way of a raw man taking examination for the post of a Probationer. But when an officer is serving Government, after completion of two years' service, he cannot be allowed to apply for a Probationer's post. He has to take his chance only by promotion.

Sri KADIDAL MANJAPPA.—No. When a person who is not already in service can apply, what prevents a man who is already in service from applying?

Sri G. VENKATAI GOWDA.—When you are making a S.S.L.C. candidate a Tahsildar, what will be the state of affairs in the District and Taluk offices?

Sri KADIDAL MANJAPPA.—The Hon'ble Member need not confuse himself between promotion and appointment of probationers. Fifty per cent of the vacancies are to be recruited; thirty per cent promotion from Revenue Department, and 20 per cent promotion by selection from among the officials serving not only in the Revenue Department but in the other departments also. The practice of appointing Probationers was in vogue in all the different regions. That practice might not have been observed strictly.

Sri S.D.KOTHAVALE (Chikodi).—The point I raised was thatin the Bombay Karnatak area, 50 per cent was reserved for persons in the Revenue Department who have passed the higher revenue examination. My request to the Government was, at least persons who have passed these examinations should have been taken and the 50 per cent rule should have been adhered to. I request the Government to consider the advisability of taking those persons. Government may frame rules hereafter. The point is, so far as persons from the Bombay area are concerned, those who have passed the revenue examination should not be left over. That is all my request.

Sri KADIDAL MANJAPPA.—There is no bar for selecting persons referred to by the Hon'ble Member. According to rules, 30 per cent is reserved for promotions. When persons are promoted, they are promoted on the basis of seniority and merit.

Sri S. D. KOTHAVALE.—There was 5 per cent reservation for such persons. I do not want the Hon'ble Minister to reply in that way. I want the Hon'ble Minister to give that assurance.

Sri KADIDAL MANJAPPA.—It is a fact that in Bombay for those Government servants working in the Revenue Department and qualifying themselves by passing the revenue test, 50 per cent was reserved. But, in the new rules, it was made 30 per cent. The suggestion of the Hon'ble Member to consider it will be kept in view.

Sir, the idea of taking probationers is to infuse new blood in the services. It is with the idea of recruiting young men of imagination and patriotism so that they can serve the country efficiently and better than others that probationers are recruited. So, I do not agree with the view that probationers should not be recruited at all. Government service is meant for the benefit of the country and not for the benefit of a few officers here and there.

Sri G. B. SHANKAR RAO (Hirekerur).—Can Government so easily underestimate the efficiency of the persons who are already in service?

Sri KADIDAL MANJAPPA.—They will get their chance when the vacancies would be filled up in the promotion quota. Sri Kothavale was pleased to observe that the appointment of Tahsildars and B.D.Os. was in violation of the conditions prescribed in the S.R. Act. Sir, I humbly submit that the S.R. Act does not lay down that the mode of recruitment should not be changed. It is open to Government to change the mode of recruitment according to the exigencies of the time.

Sir, there is nothing more to add. The other points raised by some Hon'ble

Members were not very material. I submit in conclusion that there was no justification for the Hon'ble Members to be so bitter as they were against the Public Service Commission.

Mr. SPEAKER.—The House now rises and will meet after half an hour.

The House adjourned for recess at Eight Minutes past Three of the Clock and re-assembled at Forty Minutes past Three of the Clock.

(MR. SPEAKER in the Chair)

MYSORE COFFEE HUSK CONTROL REPEAL BILL, 1959.

Motion to consider.

Sri B. D. JATTI (Chief Minister).—I beg to move:

"That the Mysore Coffee Husk Control Repeal Bill, 1959, as passed by the Legislative Council, be taken into consideration."

Mr. SPEAKER.—Motion moved:

"That the Mysore Coffee Husk Control Repeal Bill, 1959, as passed by the Legislative Council, be taken into consideration."

Sri B. D. JATTI.—Sir, there are two Bills in force in the Old Mysore area and in the Coorg area. Now, there is no uniformity regarding this Bill in the Mysore area. Secondly such types of Bills are not in vogue in other States where it is necessary to have such a Bill. Recently, the Government of India have decontrolled coffee husk. So after consulting all the persons connected with the Coffee Board and other Departments, who have unanimously suggested that it is not necessary to have such a type of Bill or Act in force, it has been proposed that these Acts should be repealed.

Mr. SPEAKER.—The question is:

"That the Mysore Coffee Husk Control Repeal Bill, 1959, as passed by the Legislative Council, be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—As there are no amendments, all the clauses will be put to the House. The question is;

"That clauses 1, 2 and the Title and the Preamble stand part of the Bill."

The motion was adopted.

Clauses 1, 2 and the Title and the Preamble were added to the Bill.

Motion to pass.

Sri B. D. JATTI.—I beg to move:

"That the Mysore Coffee Husk Control Repeal Bill, 1959, as passed by the Legislative Council, be passed."

Mr. SPEAKER.—The question is:

"That the Mysore Coffee Husk Control Repeal Bill, 1959, as passed by the Legislative Council, be passed."

The motion was adopted.

MYSORE PREVENTION OF ANIMAL SACRIFICES BILL, 1959.

Motion to consider.

Sri KADIDAL MANJAPPA (Minister for Revenue).—I beg to move:

"That the Mysore Prevention of Animal Sacrifices Bill, 1959, as passed by the Legislative Council, be taken into consideration."

Mr. SPEAKER.—Motion moved:

"That the Mysore Prevention of Animal Sacrifices Bill, 1959, as passed by the Legislative Council, be taken into consideration."

†Sri KADIDAL MANJAPPA.—Sir, this is a very simple but useful measure. In the old Mysore area and in the former Madras areas of the